

# **Town Board Minutes**

## **Meeting No. 26**

### ***Special Meeting***

**September 18, 2000**

## Town Board Minutes

September 18, 2000

Meeting No. 26

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 18<sup>th</sup> day of September 2000, at 6:30 PM and there were

**PRESENT:** ROBERT GIZA, SUPERVISOR  
MARK MONTOUR, COUNCIL MEMBER  
GEORGETTE PELLETTERIE, COUNCIL MEMBER\*  
DONNA STEMPIAK, COUNCIL MEMBER  
RICHARD ZARBO, COUNCIL MEMBER  
STANLEY KEYSA, PLANNING BOARD CHAIRMAN  
STEVEN SOCHA, PLANNING BOARD MEMBER  
MELVIN SZYMANSKI, PLANNING BOARD MEMBER

**ABSENT:** FRANK DE CARLO, PLANNING BOARD MEMBER  
JOHN GOBER, PLANNING BOARD MEMBER  
DAVID MARRANO, PLANNING BOARD MEMBER  
MILDRED WHITTAKER, PLANNING BOARD MEMBER

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
JEFFREY SIMME, BUILDING INSPECTOR  
ROBERT LABENSKI, TOWN ENGINEER

\* Council Member Pelletterie arrived at 7 P.M.

### **PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of two (2) actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE**

**DPC, INC. SITE PLAN MATTER**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the DPC, Inc. site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY PLANNING BOARD MEMBER SOCHA  
WHO MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:**

**DPC, INC.**

**NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 5.315 acres.

The location of the premises being reviewed is situate at 6495 Transit Road.

## REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following:  
(except as noted)
  - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.  
**No significant adverse effects noted**
  - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.  
**No significant adverse effects noted**
  - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.  
**No significant adverse effects noted**
  - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.  
**No significant adverse effects noted**
  - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.  
**No significant adverse effects noted**
  - C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.  
**No significant adverse effects noted**
  - C.7 Other impacts (including changes in use of either quantity or type of energy).  
**No significant adverse effects noted**
- D. The project will have no impact on the environmental characteristics that caused the establishment of a CEA.

- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_

Robert H. Giza, Supervisor  
Town of Lancaster

SEAL

September 18, 2000

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	WAS ABSENT
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	WAS ABSENT

The Notice of Determination was thereupon adopted.

September 18, 2000

**IN THE MATTER OF THE SEQR REVIEW OF THE  
AURORA MARKET SITE PLAN MATTER**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Aurora Market site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
PLANNING BOARD MEMBER SOCHA, WHO MOVED  
ITS ADOPTION, SECONDED BY PLANNING BOARD  
MEMBER SZYMANSKI, TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:  
AURORA MARKET SITE PLAN  
NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 1.93 acres.

The location of the premises being reviewed is situate at 470 Aurora Street.

## REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
  - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.  
**There may be a small to moderate impact on existing traffic patterns.**
  - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.  
**No significant adverse effects noted**
  - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.  
**No significant adverse effects noted**
  - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.  
**No significant adverse effects noted**
  - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.  
**No significant adverse effects noted**
  - C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.  
**No significant adverse effects noted**
  - C.7 Other impacts (including changes in use of either quantity or type of energy).  
**No significant adverse effects noted**
- D. The project will have no impact on the environmental characteristics that caused the establishment of a CEA.

- E. There is some controversy related to potential adverse environmental impacts regarding drainage.

s/s \_\_\_\_\_  
Robert H. Giza, Supervisor  
Town of Lancaster

SEAL

September 18, 2000

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	WAS ABSENT
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	WAS ABSENT

The Notice of Determination was thereupon adopted.

September 18, 2000

**ADJOURNMENT:**

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 7:10 P.M.

  
Johanna M. Coleman Town Clerk

# **Town Board Minutes**

## **Meeting No. 27**

### ***Regular Meeting***

**September 18, 2000**

## ***Town Board Minutes***

September 18, 2000

Meeting No. 26

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 18th day of September 2000 at 8:00 P.M. and there were

**PRESENT:** MARK MONTOUR, COUNCIL MEMBER  
GEORGETTE PELLETTERIE, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
RICHARD ZARBO, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
JEFFREY SIMME, BUILDING INSPECTOR  
CHRISTINE FUSCO, ASSESSOR  
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

### **PERSONS ADDRESSING TOWN BOARD:**

**Braun, Melvin**, 5984 Genesee Street, spoke to the Town Board on the following matter:

- Request the Planning Board use the microphones during their meetings.

**Hammer, Fred**, 240 Ransom Road, spoke to the Town Board on the following matters:

- Thanks the Town Board for their action on the grant application for a Senior van.
- Wanted to know if the Town Board and School Board will meet on a regular basis.
- Comments on consolidation.
- Comments on building moratorium.

**Juszczak, Joseph**, 600 Pleasant View Drive, spoke to the Town Board on the following matter:

- Would appreciate a response to his letter dated June 27, 2000 sent to a Town Board member.

**Kubicki, Gloria**, 15 Maple Drive, spoke to the Town Board on the following matters:

- Question re: funding received by the Town from Erie County for a Senior Citizen van.
- Questions/Comments re: Bella Vista and fill put on their property at 6495 Transit

Road, Bowmansville.

**Schneggenburger, Roy**, 87 Stony Road, spoke to the Town Board on the following matters:

- Comments re: Planning Board Meetings
- Comments re: FOIL requests and timeliness of response.

**Swetz, Darren**, 38 Heritage Drive, spoke to the Town Board on the following matters:

- Request answers re: shooting deaths of his two dogs.

**Swetz, Dawn**, 38 Heritage Drive, spoke to the Town Board on the following matters:

- Comments re: her dogs.

**Salvatore, Louis**, 15 Parkdale Drive, spoke to the Town Board on the following matters:

- Questions re: Scottsdale Subdivision.
- Comments & questions re: trees on Glendale Drive and Parkdale Drive.
- Comments on Town Board members attendance at informational sessions on Ferry rezoning request.

**Clark, Ray**, 5755 Broadway, spoke to the Town Board on the following matter:

- Comments re: development in the Town.

**Mc Ivor, Joseph**, 91 Eastwood Parkway, spoke to the Town Board on the following matter:

- Comments re: moratorium on residential development.

**Krakowiak, Alan**, 21 Windsor Ridge, spoke to the Town Board on the following matter:

- Comments re: proposed plans for Windsor Ridge Subdivision.

**Bajak, Michael**, 19 Windsor Ridge, spoke to the Town Board on the following matter:

- Concerns re: traffic in Windsor Ridge Subdivision.

**Kubicki, Mark**, 5747 Broadway, spoke to the Town Board on the following matter:

- Questions and comments re: drainage concerns.

**Siriani, Steve**, 61 Tomahawk Trail, spoke to the Town Board on the following matter:

- Commented that he and some of his neighbors are opposed to the William Street/Aurora Street project due to their concerns about traffic.

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon the application of Joseph Todaro for a Special Use Permit for a Home Occupation (vehicle wholesales) on premises locally known as 22 Hillside Parkway in the Town of Lancaster.

The affidavits of publication of this Public Hearing are on file and a copy of the Public Notice has been posted.

**PROPOSERS**

Joseph Todaro, the petitioner

**ADDRESS**

22 Hillside Pkwy, Lancaster

**OPPOSERS**

None

**ADDRESS**

**COMMENTS & QUESTIONS**

Donald Symer  
Bob Davidzek

**ADDRESS**

610 Columbia Avenue, Lancaster  
4909 William Street, Lancaster

ON MOTION BY COUNCIL MEMBER STEMPNIAK, AND SECONDED BY COUNCIL MEMBER MONTGOMERY AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:42 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

**PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:**

At 8:45 P.M., the Town Board held a Public Hearing to hear all interested persons upon proposed amendments of Chapter 50-Zoning, Article IV, Sections 50-10 and 50-11 of the Code of the Town of Lancaster.

The affidavits of publication of this Public Hearing are on file and a copy of the Public Notice has been posted.

**PROPOSERS**

Fred Hammer  
Mary Rafalski  
John Forys  
Gloria Kubicki  
Mike Beliveau

**ADDRESS**

240 Ransom Road, Lancaster  
210 Hall Road, Lancaster  
80 Parkdale Drive, Lancaster  
15 Maple Drive, Bowmansville  
40 Parkdale Drive, Lancaster

**OPPOSER**

Anthony Krupa

**ADDRESS**

19 Bowen Avenue, Lancaster

**COMMENTS & QUESTIONS**

Joseph Mc Ivor

**ADDRESS**

91 Eastwood Parkway, Lancaster

ON MOTION BY COUNCIL MEMBER STEMPIAK, AND SECONDED BY COUNCIL MEMBER ZARBO AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:05 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the minutes from the Joint Meeting of the Town Board and the Planning Board held on September 5, 2000 and the Minutes, **as amended**, of the Regular Meeting of the Town Board held on September 5, 2000 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 18, 2000

File: RMIN (P3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS**, the Bowmansville Volunteer Fire Association, Inc., by letter dated September 11, 2000 has requested the addition of one (1) probationary active member and one (1) probationary non-resident active member to the membership roster of said fire association,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby confirms the following additions to the membership of the Bowmansville Volunteer Fire Association:

**ADDITION - Probationary Active Member:**

Robert Voelker  
14 Cedarbrook Drive  
Lancaster, New York 14086

**ADDITION - Probationary Non-Resident Active Member:**

Ann Metzinger  
105 Sheldon Ave  
Depew, New York 14043

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 18, 2000

File: RFIRE (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the General Crew Chief, by letter dated September 13, 2000, has requested the appointment of seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for the fall/winter seasons of 2000/2001.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individuals are hereby appointed to the position of seasonal employee for the fall/winter seasons of 2000/2001 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Kelly O'Hara (Rehire) 65 Pheasant Run Lane, Lancaster	Lifeguard	\$7.25 hr.
Amanda Poe (rehire) 15 Windsor Ridge Drive, Lancaster	Lifeguard	\$7.25 hr.

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 18, 2000

File: Rpers.seasonal (P8)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER PELLETTERIE, TO WIT:

**WHEREAS**, grant monies are available through the New York State Office  
for the Aging Capital Grant Program to enhance the operation of senior citizen centers, and

**WHEREAS**, the Town of Lancaster desires to purchase a van for use by  
senior citizens.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Grantmakers Advantage, Inc., the Town's grant  
consultants, be authorized and directed to complete the necessary application, forms, etc. to be  
submitted to the New York State Office for the Aging for the purpose of securing this grant, and

**NOW, THEREFORE, BE IT**

**FURTHER RESOLVED**, that the Supervisor be and is hereby authorized  
and directed to execute all documents pertaining to the application and acquisition of said  
funding.

The question of the adoption of the following resolution was duly put to a  
vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 18, 2000

file: grant(P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA , WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled: "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER";

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 2nd day of October, 2000, at 8:30 o'clock P.M., Local Time and that Notice of the Time and Place of such hearing be published on or before September 21, 2000, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 18, 2000

File: rvtordh.ooo

**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN** that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 18th day of September, 2000, the said Town Board will hold a Public Hearing on the 2nd day of October, 2000 at 8:30 o'clock P.M., Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the said Town:

**CHAPTER 46  
ARTICLE VIII -STOP AND YIELD INTERSECTIONS**

**46-8, Stop Intersections designated, is hereby amended by  
adding thereto:**

**SIGN**

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>LOCATION</u>
--------------------	----------------------------	-----------------

**SUMMERFIELD FARMS SUBDIVISION**

**add:**

Summerfield Drive	Bowen Road	N/E Corner
Fairview Court	Summerfield Drive	N/E Corner
Summerfield Drive	Apple Blossom Blvd.	S/W Corner
Apple Blossom Blvd.	Summerfield Drive	S/E Corner
Apple Blossom Blvd.	Summerfield Drive	N/W Corner
Sugar Mill Court	Apple Blossom Blvd.	N/W Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN  
Town Clerk**

September 18, 2000

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid  
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the  
Director of Administration and Finance, to wit:

Claim No. 4135 to Claim No. 4362 Inclusive

Total amount hereby authorized to be paid: \$534,461.40

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 18, 2000

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**RESOLVED** that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	Structure
7303		Scranton, Douglas	75 Stony Brook Dr	Er. Fence
7304		Kuch, Brian	21 Anna Dr	Er. Fence
7305		Locicero, Nicholas	16 Idlebrook Ct	Er. Shed
7306		Idzik, Peter	56 Stony Brook Dr	Er. Shed
7307		Malczewski, Carl	5 Charlton Pl	Er. Garage
7308		Reynders & Faxlanger	5637 Genesee St	Remove/Replace Tank
7309		Ferry, Walter	3 Katelyn Ln	Er. Sin. Dwlg
7310		Markowski, Vincent	158 Enchanted Forest S	Er. Shed
7311		Suckow, Dale	39 Stutzman Rd	Res. Addition
7312		Bauer, Norman	5 Gale Dr	Er. Shed
7313		Page, Bryan	18 Cobblestone Ct	Er. Shed
7314		Carver, David	131 Belmont St	Er. Shed
7315		Pleasantview Assoc	69 Stony Brook Dr	Er. Sin. Dwlg
7316		Marrano/Marc Equity	19 Summerfield Dr	Er. Sin. Dwlg
7317		Piper, Gary	46 Village View	Er. Shed
7318		Chowaniec, Brian	72 Old Post Rd	Er. Pool
7319		Chowaniec, Brian	72 Old Post Rd	Er. Fence
7320		Miller, Eric	86 Newberry Ln	Er. Shed
7321		LaGambina, Antonio	10 Butler Dr	Er. Shed
7322		Meyerhofer, Paul	3 Lucia Ct	Er. Gazebo
7323		Nigel Enterprises	47 Creekwood Dr	Er. Sin. Dwlg
7324		Walnut Creek JT Venture	259 Enchanted Forest N	Er. Sin. Dwlg
7325		Hill, James	6331 Broadway	Er. Garage
7326		Hill, James	6331 Broadway	Res. Alteration
7327		Carr, Duane	5200 Genesee St	Er. Fence
7328		Siradas, John	146 Belmont St	Res. Addition
7329		Frey, Harold	182 Brunck Rd	Er. Deck
7330		Hoyden, David	60 Newberry Ln	Res. Alteration
7331		RJF Development	5084 William St	Er. Sin. Dwlg
7332		Lewandowski, David	9 Northbrook Ct	Res. Alteration

7333	TOPS	4779 Transit Rd	Er. Temp. Sign
7334	RJF Development	25 Parkedge Dr	Er. Sin. Dwlg
7335	Donato Homes	137 Nathan's Trl	Er. Sin. Dwlg
7336	Powell, Lynn	413 Erie St	Er. Deck
7337	Powell, Lynn	413 Erie St	Res. Add/Alteration
7338	Notaro, Nicholas	1376 Townline Rd	Er. Shed
7339	Sortisio, Paul	290 Enchanted Forest N	Er. Pool
7340	Wesolowski, Michael	59 Newberry Ln	Er. Pool

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 18, 2000

Council Member Stempniak requested a suspension of the necessary rule for immediate consideration of the following resolution:

**SUSPENSION GRANTED:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, DPC, Inc., 6495 Transit Road, Bowmansville, New York has submitted a Site Plan prepared by William M. Szawranskyj, P.E., and received August 1, 2000 for the construction of 62,825 s.f. office/warehouse facility located on the east side of Transit Road, between Ellicott Creek and West Shore Railroad and locally known as 6495 Transit Road, Bowmansville, in the Town of Lancaster, and

**WHEREAS**, at its meeting August 16, 2000 the Planning Board reviewed the plan, and recommended approval of this project, and

**WHEREAS**, a SEQR review was held on this project on September 18, 2000 and a Negative Declaration was issued at that time.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan., submitted by DPC, Inc., and prepared by William M. Szawranskyj, P.E., and received August 22, 2000, for the construction of a 62,825 s.f. office/warehouse facility located on the east side of Transit Road, between north side of Ellicott Creek and West Shore railroad property and locally known as 6495 Transit Road, Bowmansville, in the Town of Lancaster, New York, subject to the following conditions:

- Developer to provide Planning Board with drainage plans.
- Developer to provide Town Engineer with elevation drawing and calculations.
- Developer to provide a buffer to the rear of property, contiguous to Bowmansville Fire Association, Inc. property as approved by the Town Engineer and General Crew Chief.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED NO
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

September 18, 2000  
file: ratite.900

#### COMMUNICATIONS & REPORTS:

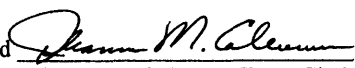
- 634. Kenneth & Colleen Gartler to Town Board -  
Express opposition to Windsor Ridge rezone petition. DISPOSITION = Planning Committee
- 635. Mark Kubicki to Town Clerk, Town Board, Planning Board, Parks & Recreation Department -  
Restates questions asked in letter dated August 21, 2000 and submitted to the Town Board at the meeting of that date. DISPOSITION = Planning Committee
- 636. Various Owners of Real Property Immediately Adjacent to or Directly Opposite Lands in the Proposed Rezone of Windsor Ridge Partners to Town Board -  
Transmittal of rezoning protest petition. DISPOSITION = Planning Committee
- 637. Residents to Elma Supervisor and Lancaster Town Board -  
Transmittal of petition in opposition to the proposed rezone application of Windsor Ridge Partners. DISPOSITION = Planning Committee
- 638. Robert Freeman, NYS Dept. of State Committee on Open Government to Roy Schneggenburger -  
Reply to letter dated July 19, 2000 re: F.O.I.L. requests. DISPOSITION = Town Clerk
- 639. Roy Schneggenburger to Town Board, Drainage Committee -  
Transmittal of numerous comments re: alleged drainage problems. DISPOSITION = Drainage, Water & Sewers Committee
- 640. Town Clerk to Town Board -  
Conveyance of Clerk's Monthly Report. DISPOSITION = Received and Filed
- 641. William Beardi to Town Clerk -  
Notification of application for renewal of liquor license. DISPOSITION = Town Attorney, Police Chief
- 642. Twin District Fire Company to Supervisor, General Crew Chief, Highway Superintendent -  
Request to the Town for a cooperative venture in developing property behind fire hall. DISPOSITION = Supervisor, General Crew Chief
- 643. NYSEG to NYS Public Service Commission -  
Transmittal of copies of NYSEG'S Semiannual Inventory Report of PCB Equipment In-Service as of June 30, 2000 and Retired from Service January 1, through June 30, 2000. DISPOSITION = Received and Filed
- 644. Ethan Peters to Town Board -  
Notification of alleged problems with drainage on Warner Road properties. DISPOSITION = Drainage, Water & Sewers Committee
- 645. Police Chief to Chairperson Public Safety Committee -  
Request ordinance relative to placing stop signs within Summerfield Farms Subdivision. DISPOSITION = Resolution 9/18/2000
- 646. Various Owners of Real Property Immediately Adjacent to or Directly Opposite Lands in the Proposed Rezone of Windsor Ridge Partners to Town Board -  
Additional signatures to be added to communication #636. DISPOSITION = Planning Committee
- 647. Erie County Division of Budget, Management & Finance to all Erie County Assessors -  
Notification of amendment to Erie County Tax Act to change Taxable Status date in Erie County from June 1<sup>st</sup> to now be May 1<sup>st</sup> of each year. DISPOSITION = Received and Filed
- 648. Residents of Windcroft Lane, Chestnut Corner, Sussex Lane and Devonshire Lane to Town Board - Planning Committee  
Petition in opposition to rezone application of Windsor Ridge Partners LLC. DISPOSITION = Planning Committee

649. Planning Board to Town Board -  
Recommend approval of site plan for Aurora market. DISPOSITION = Planning Committee
650. Planning Board to Town Board, Town Engineer, Deputy Town Attorney, Building Inspector -  
Transmittal of draft copy of minutes of meeting from September 6, 2000. DISPOSITION = Planning Committee
651. General Crew Chief to Supervisor -  
Request appointment of part time temporary seasonal employees. DISPOSITION = Resolution 9/18/2000
652. Town Engineer to Erie County Legislator -  
Express the Town's interest in acquiring the property that now contains the Southpoint pumping station. DISPOSITION = Received and Filed
653. Debrah Lett to Town Board -  
Express opposition to rezone application of Windsor Ridge Partners LLC. DISPOSITION = Planning Committee
654. Roy Schneggenburger to Brian Cook -  
Request review of Stony Road aerial photograph. DISPOSITION = Received and Filed
655. Planning Board to Town Board -  
Recommend approval of site plan for Precision Dental Ceramics, Inc. DISPOSITION = Planning Committee
656. Planning Board to Town Board -  
Recommend approval of site plan for DPC, Inc. DISPOSITION = Resolution 9/18/2000
657. Planning Board to Town Board -  
Recommend approval of site plan for Home Insulation & Supply, Inc. DISPOSITION = Planning Committee
658. Planning Board to Town Board -  
Recommend approval of site plan for Kingdom Hall of Jehovah's Witness. DISPOSITION = Planning Committee
659. Town Attorney to Town Board -  
Advisement that the petition submitted re: Scottsdale Subdivision is sufficient to require at least 4 votes to change the zoning classification. DISPOSITION = Planning Committee
660. Bridgestone/Firestone, Inc. to Customer -  
Notification that a defect exists in certain tires that creates a potential for accidents and of their replacement by company. DISPOSITION = Highway Department, Building & Zoning Department, Parks & Recreation Department, Police Chief, Assessors Office
661. Highway Superintendent to Planning Board Chairman -  
Transmittal of no concerns re: Revised Site Plan Review English Park Village Revisions for building #2. DISPOSITION = Planning Committee
662. Highway Superintendent to Planning Board Chairman -  
Transmittal of no concerns re: site plan for Garden Place Hotel addition. DISPOSITION = Planning Committee
663. Highway Superintendent to Planning Board Chairman -  
Transmittal of no concerns re: site plan for Nextel Communication Facility/Wireless Communication Tower & Equipment. DISPOSITION = Planning Committee
664. Highway Superintendent to Director of Administration and Finance -  
Advisement re: negotiations for contract with Erie County to snow plow and the proposed rates tentatively approved by the Erie County Association of Town Superintendents of Highways. DISPOSITION = Highway Committee

665. Erie County Dept. of Emergency Services to Chief Elected Officials in Erie County -  
Transmittal of Notice of Public Hearing re: Disaster Recovery Initiative. DISPOSITION  
= Bob Mac Peek
666. Police Chief to NYS Dept. of Transportation -  
Request initiation of study re: issues noted in attached letters as they relate to Walden  
Avenue. DISPOSITION = Town Engineer
667. Erie County Dept. of Environment & Planning to Supervisor -  
Enclosure of two maps re: Lancaster portion of Lancaster-Alden Agricultural District  
with a request for a resolution indicating agreement with the modifications to the  
agricultural district. DISPOSITION = Received and Filed
668. Erie County Executive to Lancaster Town Supervisor and Lancaster Village Mayor -  
Express pleasure at prospect of merger of respective building departments and  
availability to assist in endeavor. DISPOSITION = Received and Filed
669. NYS Office of Parks, Recreation and Historic Preservation to NYS Dept. of Environmental  
Conservation -  
After review of documentation re: Commerce Center/Uniland/Walden Avenue, request  
for additional information. DISPOSITION = Planning Committee
670. Windsor Ridge partners to Town Board -  
Transmittal of letter withdrawing application for rezoning of the southern portion of  
Windsor Ridge Subdivision. DISPOSITION = Planning Committee
671. Town Attorney to Town Board -  
Request decision from Town Board re: inquiry by Pinetree Drive owner/resident to  
purchase a Town owned parcel adjacent to his home. DISPOSITION = Received and  
Filed
672. Town Clerk to Town Board -  
Request application for state aid to help finance inside repairs to storage building at the  
Town Center and request Town funding for repairs to outside of storage building at  
Town Center. DISPOSITION = Supervisor

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER STEMPIAK AND SECONDED BY THE  
ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:35 P.M.**

Signed   
Johanna M. Coleman, Town Clerk